

PATENT: Mail Stop AF
Attorney Docket No. 01165-0934

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:)
Yutaka Shibui) Group Art Unit: 2125
Application No.: 10/522,760) Examiner: Sheela S. Rao
Filed: October 18, 2005)
For: Tool Selection Method for Machine) Confirmation No.: 9318
Tool Control Device, and Numerically)
Controlled Lathe)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mail Stop AF

NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31

Sir:

Applicant appeals to the Board of Patent Appeals and Interferences from the
Examiner's decision mailed November 26, 2007.

The item(s) checked below are appropriate:

1. Applicant petitions for a three month extension of time, based on the mailing date of the outstanding Office action. The petition fee of \$1,050.00 is enclosed.
2. Applicant has previously filed a Petition for extension of time extending the period for response to the outstanding Office action to _____. Applicant now petitions for an additional extension of time to extend the period for response to _____. The petition fee of \$____ is enclosed.
3. The Notice of Appeal Fee of \$510.00 is enclosed.
4. The Notice of Appeal Fee was previously paid in this application on _____, but the appeal was not completed. Accordingly, no Appeal Fee is due at this time.

5. A pre-appeal brief conference is requested. The request and supporting documentation are attached.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: May 27, 2008
By: 
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